LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS

54111 BROUGHTON ROAD

MACOMB, MI 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN

DEAN AUSILIO, VICE CHAIRMAN MICHAEL D. KOEHS, SECRETARY

CHARLES OLIVER, MEMBER JOA PENZIEN, MEMBER ARNOLD THOEL, MEMBER DEBORAH ZOLNOSKI, MEMBER

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel

Jerome Schmeiser, Planning Consultant

(Additional attendance on file at the Clerk's Office)

Chairman GALLAGHER called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

Clerk KOEHS called the roll and the entire Commission was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and Item 13 was withdrawn at the petitioner's request.

MOTION by AUSILIO seconded by PENZIEN to approve the agenda as amended.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES

3. The minutes of the previous meeting held on May 2, 2006 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by PENZIEN seconded by THOEL to approve the minutes of the meeting of May 2, 2006 as amended.

MOTION carried.

AGENDA ITEMS

4. Public Hearing on Proposed Zoning Ordinance Amendments - Screening requirements for commercial & industrial

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and explained the proposed amendments to the Commission. He then stated his recommendation of approval.

MOTION by KOEHS seconded by AUSILIO to recommend approval of the proposed amendments to the Township Board of Trustees.

MOTION carried.

5. Final Preliminary Plat & Landscape Plan; Char Estates Subdivision; Located on the south side of 24 Mile Road, approximately 1½ miles east of Romeo Plank Road; Thomas Bernasconi Trust, Petitioner; Permanent Parcel No. 08-16-100-015.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

MOTION by AUSILIO seconded by PENZIEN to recommend approval to the Township Board of Trustees the Final Preliminary Plat and Landscape Plan for Char Estates Subdivision, Permanent Parcel Number 08-16-100-015 based on the following conditions, as set forth by the Planning Cosultants:

- The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations:
 - a) Macomb County Road Commission
 - b) Office of Public Works Commission of Macomb County
 - c) Macomb County Health Department
 - d) Macomb County Planning Commission
 - e) Michigan Department of Environmental Quality
 - f) All public utility companies affected
 - g) That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer. Also, that any connecting sidewalk tying to the plat to any public street be installed by the petitioner.
- 2. The Township Engineer approves all engineering plans for the computed plat.
- 3. That any detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.

- Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval have been incorporated into the Final Preliminary Plat.
- 5. That all lots within the Final Preliminary Plat meet the requirements of the Township Zoning Ordinances.
- 6. Flood Plain Map Amendments and/or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.
- 7. That all public street drain crossings within the boundaries of the Final Preliminary Plat shall be provided with public sidewalks on both sides of the street and installed in accordance with 17-145(10) of the Macomb Township Code.
- 8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreages, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.
- 9. That the "landscape easement" that area labeled on the plat as, "The entire common area is subject to a private easement dedicated to the ownership association for landscaping" has been completed in accordance with the approved landscaping plan, inspections completed to the satisfaction of the Township and the bond posted for the development of this easement released. If the bond has not been released the owner of the subdivision is placed on notice that no building permits may be issued until the landscape easement has been developed in accordance with the approved landscaping plan and the bond released by the Township Board.

It is noted that in the development of the landscape easement, that no stones (a cobblestone measuring 3-8" in diameter is permitted) or loose materials are allowed to within 3' of any paved areas.

- 10. That the final preliminary approval expires two years from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Application for extension must be received by this office prior to the expiration date.
- 11. All street names must be cleared by the Township Supervisor for purposes of continuity as part of the application for the tentative preliminary plat. Any changes in street names must be authorized by Supervisor prior to the acceptance of an

application for Final Plat. Addresses will be assigned after Final Preliminary Plat approval by the Township Board.

- 12. That the temporary street name posts be installed upon completion of the paving. The posts as indicated by the Fire Department are to be 4" x 4" black posts with two inch white letters so that the street can be easily identified during the construction of the plat.
- 13. That the restrictive covenants that will be recorded as part of this plat, have been approved by the Township Attorney. The "Restrictive Covenants" must be approved by the Township Attorney before an application will be received for Final Plat.
- 14. That the Articles of Incorporation for the Homeowners' Association for the subdivision have been approved by the Township Attorney. The "Articles of Incorporation" must be approved by the Township Attorney before an application will be received for Final Plat.
- 15. That the developer shall be responsible for having the Contract between Detroit Edison and Macomb Township executed and must establish the corresponding SAD for lamp charges. These items must be completed prior to the Developer applying for approval of the Final Plat.
- 16. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

MOTION carried.

6. Ground Signs; Summerfield Estates Subdivision; Located on the east side of Heydenreich Road, on the north and south sides of Summerfield Drive; Luigi Ferdinandi & Son Cement Co., Petitioner. Permanent Parcel Nos. 08-27-301-006 and 08-27-306-001.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval. He also recommended that this approval be conditioned upon the securing of the easement encroachments and the posting of one thousand dollars (\$1,000.00) for the bonds.

MOTION by OLIVER seconded by AUSILIO to approve the request for Ground Signs at Summerfield Estates Subdivision with the following conditions:

- 1. That Section 10.0319 of the Zoning Ordinance is met.
- 2. That the ground signs be limited to 32 square feet.
- 3. That a \$1000 cash bond be posted assuring the construction of the signs as approved.
- 4. That the easement encroachment agreements be obtained for the Township.

MOTION carried.

7. Revised Site Plan; One Step Party Shop; Located on the southwest corner of 21 Mile and Garfield Road; Tech Express Corp., Petitioner. Permanent Parcel No. 08-31-226-007.

Mr. John Damrath, representing the petitioner, was present and requested that this matter be tabled to allow them to modify the plans.

MOTION by KOEHS seconded by ZOLNOSKI to table this matter indefinitely to allow the petitioner time to modify his plans.

MOTION carried.

8. Special Land Use; Partridge Temp. Substation; Located on the northwest corner of Hall Road and Garfield Road; Detroit Edison, Petitioner. Permanent Parcel No. 08-32-300-018.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Mr. Ron Chris, representing the petitioner, was also present to answer any questions the Commission might have and restated the need for the power substation in this area.

MOTION by AUSILIO seconded by PENZIEN to approve the Special Land Use request for the Detroit Edison Partridge Temporary Substation because it complies with the standards set forth in Section 10.2401(B)(5)(a), as follows:

1. The proposed substation yard would be of such location, size and character that it will be harmonious with the appropriate and orderly development of the surrounding neighborhood and/or vicinity, and shall be in compliance with the applicable regulations of the zoning district in which it is to be located.

- 2. The proposed substation yard would be of such nature that vehicular and pedestrian traffic shall not be more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow; proximity and relationship to intersections, adequacy of sight distances; location and access of off-street parking; and provisions for pedestrian traffic, with particular attention paid to minimizing child-vehicle interfacing.
- 3. The proposed substation yard would be designed, with respect to the location, size, and intensity, site layout and periods of operation of any such proposed use, to eliminate any possible nuisance emanating therefrom which might be noxious whether by reason of dust, noise, fumes, vibration, smoke or lights to others.
- 4. The proposed substation yard would be such that the proposed location and height of buildings or structures, and the location, nature and height of walls, fences and landscaping, will not interfere with or discourage the appropriate development and use of adjacent land and buildings, or unreasonably affect the value of the land and/or buildings.
- 5. The proposed substation yard would relate harmoniously with the physical and economic aspects of adjacent land uses with regard to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the Township.
- 6. The proposed substation yard is necessary for the public convenience at the proposed location.
- 7. The proposed substation yard is so designed, located and planned, and shall be operated in such a manner that the public health, safety and welfare will be protected.
- 8. The proposed substation yard would not be detrimental or injurious to the neighborhood within which it is to be located, nor shall such use operate as a deterrent to future land uses permitted within said zoning district, and such use shall be in harmony with the general purpose and intent of the Zoning Ordinance.

MOTION carried.

9. Site Plan; Partridge Temp. Substation; Located on the northwest corner of Hall Road and Garfield Road; Detroit Edison, Petitioner. Permanent Parcel No. 08-32-300-018.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Mr. Ron Chris , representing the petitioner, was also present to answer any questions the Commission might have.

MOTION by AUSILIO seconded by PENZIEN to approve the site plan for the Detroit Edison Partridge Temporary substation with the following conditions, as recommended by the Planning Consultants:

- 1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.
- 2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
- 3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
- 4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
- 5. Sidewalks to be provided to the satisfaction of the Township Engineer.
- 6. Light fixtures or light standards must have deflectors or shields for positive cutoff of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
- 7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.

- 8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed with two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.
- 9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.
- 10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
- 11. That all signs be designated on the site plan and meet the Township requirements.
- 12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
- 13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
- 14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
- 15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
- 16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval.

The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.

- 17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
- 18. That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
- 19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
- 20. That all requirements of the Zoning Ordinance be met.
- 21. Since the matter being considered is a revised site plan, then all conditions of the earlier approval, that may apply to other features of the plan not being considered for the current revision and whether or not they are noted on the plan herein presented, are to remain in full force and effect.
- 22. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
- That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture. Further, that the plan provide that no lights or glare from lights will shine into the abutting residential areas.

MOTION carried.

10. Site Plan & Ground Sign Review; Kroger at Macomb Park; Located on the southwest corner of 26 Mile and Romeo Plank Road; Romeo Plank Commons, LLC, Petitioner, Permanent Parcel No. 08-06-200-049.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of denial.

Mr. David Adams, representing the petitioner, was also present and requested that this matter be tabled to the next regularly scheduled meeting of the Planning Commission.

MOTION by AUSILIO seconded by OLIVER to table this matter to the next regularly scheduled meeting of the Planning Commission.

MOTION carried.

11 Revised Site Plan; Fairways Medical Office; Located on the north side of 23 Mile Road, ¼ mile west of Card Road; John Cavaliere, Petitioner. Permanent Parcel No. 08-15-401-005.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and explained the situation with the wall required between this Office Zone and the surrounding residential property. He then stated his recommendation of approval.

Mr. Lorenzo Cavaliere, representing the petitioner, was also present to answer any questions which the Commission might have. Several residents asked questions regarding the site, all of which were answered.

MOTION by KOEHS seconded by THOEL to approve the revised site plan for the Fairways Medical Office conditioned on the following conditions, as recommended by the Planning Consultants;

- 1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.
- 2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
- 3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
- 4. The curb radii, curb cuts, including their location, deceleration lanes, by pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
- 5. Sidewalks to be provided to the satisfaction of the Township Engineer.

- 6. Light fixtures or light standards must have deflectors or shields for positive cutoff of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
- 7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
- 9. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed with two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.
- 9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.
- 10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
- 11. That all signs be designated on the site plan and meet the Township requirements.
- 12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
- 13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
- 14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be

constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.

- 15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
- 16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
- 17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
- 18. That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
- 19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
- 20. That all requirements of the Zoning Ordinance be met.
- 21. Since the matter being considered is a revised site plan, then all conditions of the earlier approval, that may apply to other features of the plan not being considered for the current revision and whether or not they are noted on the plan herein presented, are to remain in full force and effect.
- 22. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
- 24 That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture. Further, that the plan provide that no lights or glare from lights will shine into the abutting residential areas.
- 24. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or

any other actions involving Macomb Township. It is also noted that delays <u>may</u> be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

- 25. That the necessary documents providing for the wall to be located on the adjacent land owners' property be approved by the Township Attorney.
- 26. That the maintenance of the remaining triangular area created by the realignment of the wall be provided for by the petitioner.
- 27. That the wall along the easement of the McBride Drain be extended to a "knee" wall as per the recommendation of the Township Engineer.
- 28. The developer is responsible for contacting Consumer's Energy to install bollards around the gas main valve.

MOTION carried.

12. Special Land Use; Village Taverna Bar and Grill; Located in the Waldenburg Plaza, at the southeast corner of 22 Mile and Romeo Plank Road; Steve Christopoulos, Petitioner. Permanent Parcel No. 08-28-101-010.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of denial. After reviewing the eight issues covered by a special Land Use request, Mr. Schmeiser stated that he could not recommend approval of this matter.

No one representing the petitioner, was present to answer any questions.

MOTION by KOEHS seconded by ZOLNOSKI to deny the Special Land Use request because the proposed use does not comply with the standards set forth in Section 10.2401(B)(5)(a), as follows:

- 1. The proposed bar is located in such a location, size and character that it would not be harmonious with the appropriate and orderly development of the surrounding neighborhood and/or vicinity, and shall not be in compliance with the applicable regulations of the zoning district in which it is to be located.
- 2. The proposed bar could be of such nature that vehicular and pedestrian traffic would not be more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow; proximity and relationship to intersections, adequacy of sight distances; location and access of off-street parking; and provisions for pedestrian traffic, with particular attention paid to minimizing child-vehicle interfacing especially as it relates an abutting single family residence.
- 3. The proposed bar would be designed, with respect to the location, size, and intensity, site layout and periods of operation of any such proposed use, to create possible nuisance emanating therefrom which might be noxious whether by reason of dust, noise, fumes, vibration, smoke or lights to other abutting residential property.
- 4. The proposed bar would be such that the proposed location of buildings or structures, and the location, nature and lack of screen walls, fences and landscaping, would interfere with or discourage the appropriate use of adjacent land and buildings, or unreasonably affect the value of the land and/or buildings for residential purposes.
- 5. The proposed bar could relate harmoniously with the physical and economic aspects of adjacent land uses with regard to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the Township if located in other units within the Waldenburg Plaza such as the north units of the east wing.
- 6. The proposed bar would not be necessary for the public convenience at the proposed location.
- 7. The proposed bar is not designed, located and planned, and would not be operated in such a manner that the public health, safety and welfare will be protected.
- 8. The proposed bar would be detrimental or injurious to the neighborhood within which it is to be located, or such use may operate as a deterrent to future land uses permitted within said zoning district, and such use would not be in harmony with the general purpose and intent of the Zoning Ordinance.

MOTION carried.

13. Rezoning Request; R-1-S to R-1; Located on the south side of 24 Mile Road, approximately ½ mile east of North Avenue; Elro Corp., Petitioner. Permanent Parcel No. 08-13-200-023.

A letter was received from the petitioner requesting that this matter be withdrawn from consideration.

When the agenda was approved at the beginning of the meeting, this matter was withdrawn from consideration.

14. Temporary Ground Sign; Pinnacle Woods Subdivision; Located on the south side of 23 Mile Road, approximately ½ mile west of Fairchild Road; Landtec of Macomb LLC, Petitioner. Permanent Parcel No. 08-24-226-018.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

MOTION by AUSILIO seconded by PENZIEN to approve the temporary ground sign for Pinnacle Woods Subdivision for a period of one year from today with the following conditions:

- 1. That Section 10.0319 of the Zoning Ordinance be met.
- 2. That the ground sign be limited to 32 square feet.
- 3. That a \$500.00 cash bond be posted assuring the construction of the sign as approved.

MOTION carried.

15. Preliminary Plan; The Bluffs at Riverside Site Condominiums; Located on the west side of North Avenue, approximately ½ mile south of 23 Mile Road; L & M Macomb, LLC, Petitioner. Permanent Parcel No. 08-23-251-003.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this item and stated his recommendation of approval.

Six neighboring property owners approached the Commission with questions regarding drainage, sidewalks, the second access road and utility locations within the proposed project. There was also some concern regarding the setback of existing structures where the second access road will tie into North Avenue.

Mr. Greg Windingland, representing the petitioner, was also present to answer any questions which the commission or the residents might have.

MOTION by OLIVER seconded by AUSILIO to recommend approval of the Preliminary Plan for the Bluffs at Riverside Site Condominiums with the following standard conditions:

- 1. The petitioner shall prepare and submit engineering plans to the Township Engineer for the required approvals from the following agencies in compliance with the State Condominium Act and Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations:.
 - a. Macomb County Road Commission
 - b. Office of Public Works Commission of Macomb County
 - c. Macomb County Health Department
 - d. Macomb County Planning Commission
 - e. Michigan Department of Environmental Quality
 - f. All public utility companies affected.
 - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer. Also, that any connecting sidewalk tying the plat to any public street be installed by the petitioner.
- 2. The Township Engineer approves all engineering plans for the computed plan.
- 3. That any detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.
- 4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the preliminary plan approval be met.
- 5. That all public street drain crossings within the boundaries of the development shall be provided with public sidewalks on both sides of the street and installed in accordance with 17-145 (10) of the Macomb Township Code.
- 6. That all sites meet the requirements of the Township Zoning Ordinances.
- 7. Flood Plain Map Amendments and/or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further the MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.
- 8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.

- 9. That the unrecorded Master Deed be approved by the Township Attorney and Township Assessor prior to acceptance of the Final Plan Application.
- 10. All street names are cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plan. That the petitioner submits (2) copies of the plan to the Supervisors office for addressing. Addresses will be assigned after final preliminary plan approval by the Township Board.
- 11. That the landscape areas be identified as a common area in the Master Deed. Further, that a bond in the amount to be determined by the Township Consulting Engineer be posted. The bond shall be posted prior to receiving construction permits from the Water/Sewer Department.

It is noted that in the development of the landscape easement, that no stones (a cobblestone measuring 3-8" in diameter is permitted) or loose materials are allowed to within 3' of any paved areas.

- 12. That the preliminary approval expires one year from the date of Township Board approval.
- 13. If a 'phasing plan' has not been submitted it is assumed that this plan will be developed in one phase. Please be advised that any revisions to the phasing plan for this plan must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Preliminary Plan as a Revised Preliminary Plan.
- 14. That the preliminary approval expires one year from the date of Township board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Any request for extension must be received by this office prior to the expiration date.
- 15. That separate drawings at a scale of 1" = 20' must be submitted for Units 83, 84, and 85 to illustrate the building footprint and driveway locations to demonstrate compliance with Appendix 9 of the Zoning Ordinance.

MOTION carried.

16. Motion to receive and file all correspondence in connection with this agenda.

MOTION by PENZIEN seconded by KOEHS to receive and file all correspondence in connection with this agenda.

MOTION carried.

Macomb Township Clerk
Planning Commission Secretary

	PLANNING CONSULTANTS COMMENTS
	NONE
	PLANNING COMMISSIONERS COMMENTS
	NONE
	ADJOURNMENT
	MOTION by KOEHS seconded by AUSILIO to adjourn the meeting at 9:26 p.m
	MOTION carried.
Respe	ctfully submitted,
Edward	d Gallagher, Chairman
Michae	el D. Koehs, CMC